

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO**

YULIYAN DONCHEV,

Petitioner,

v.

No. 12-cv-0756 MV/SMV

**ADRIAN P. MACIAS, RAY TERRY,
JOHN MORTON, and ERIC H. HOLDER,**

Respondents.

ORDER TO ANSWER

THIS MATTER is before the Court sua sponte under Rules 1(b), 4 of the Rules Governing Section 2254 Cases, on Petitioner's Amended Petition Under 28 U.S.C. § 2241 For A Writ Of Habeas Corpus [Doc. 9]. In the Petition, Petitioner names his warden and a number of government officials as Respondents. The Court will order an answer to Petitioner's Petition, including briefing on the issue of the proper Respondent(s) in this proceeding.

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that the Clerk is directed to forward copies of this Order to Respondent Ray Terry, Warden, at Otero County Processing Center, 26 McGregor Range Rd., Chaparral, NM 88081, and to the United States Attorney for the District of New Mexico, with copies of Petitioner's Amended Petition Under 28 U.S.C. § 2241 For A Writ Of Habeas Corpus [Doc. 9] and supporting papers and exhibits, if any.

IT IS FURTHER ORDERED that, within twenty-three (23) days from entry of this Order, Respondents shall answer Petitioner's Petition. Respondents are directed to include in the answer a statement of their position(s), with supporting legal argument, on the issue of the proper

Respondent(s) in this proceeding. No later than fourteen (14) days after the answer is filed, Petitioner may file a reply brief on the issue of the proper Respondent(s).

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'S. Vidmar', is written over a horizontal line.

STEPHAN M. VIDMAR
United States Magistrate Judge